

Garde phe, P.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

BERTON M. HOCHFELD and
HOCHFELD CAPITAL MANAGEMENT, L.L.C.,

Defendants,

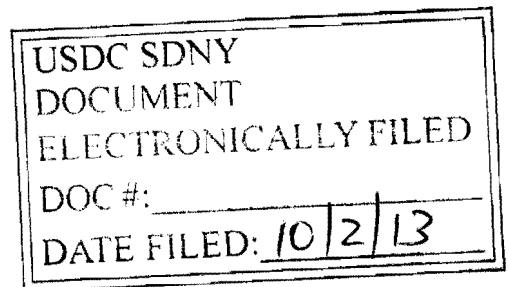
and

HEPPELWHITE FUND, LP,

Relief Defendant.

ECF CASE

12-CV-8202 (PGG)



**ORDER GRANTING PLAINTIFF'S MOTION TO APPROVE FINAL
DISTRIBUTION PLAN AND UNFREEZE ASSETS TO ALLOW FOR
DISTRIBUTIONS**

The Court, having reviewed Plaintiff Securities and Exchange Commission's (the "Commission") Motion to Approve Final Distribution Plan and Unfreeze Assets to Allow for Distribution (the "Motion"), and for good cause shown,

IT IS HEREBY ORDERED:

1. The Motion is granted the Commission's Distribution Plan is approved.
2. The Judgments for Non-Monetary Relief as to Hochfeld and Hochfeld Capital Management, LLC, entered on November 14, 2012, shall be modified to allow all remaining assets subject to the Court-imposed asset freeze to be transferred to the Fair

Fund for distribution to Heppelwhite investors, as provided in the Distribution Plan.

Plaintiff's motion (DKt. No. 28) is granted. The Clerk of Court is respectfully directed to terminate the motion and to close this case.

SO ORDERED.

Dated: October 2, 2013
New York, New York

Paul R. Gardephe
Paul G. Gardephe
United States District Judge